



Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

Sixth Day

Thursday Afternoon

January 28, 2021

The invocation was offered by Chaplain Pamela Russell of the Public Servant's Prayer.

The House convened at 2:30 p.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Jordan.

The Speaker ordered the roll of the House to be called:

Abbott	Karickhoff
Andrade	King
Austin	Klinker
Aylesworth	Lauer
Baird	Ledbetter
Barrett	Lehe
Bartels	Lehman
Bartlett	Leonard
Bauer	Lindauer <input type="checkbox"/>
Behning	Lucas
Borders	Lyness
Boy	Manning
Brown, T.	May
Campbell	Mayfield
Carbaugh	McNamara
Cherry	Miller
Clere	Moed
Cook	Morris <input type="checkbox"/>
Davis	Morrison
Davisson	Moseley
DeVon	Negele
DeLaney	Nisly
Dvorak	Olthoff
Eberhart	Pack
Ellington	Payne
Engleman	Pfaff
Errington	Pierce
Fleming	Porter
Frye	Prescott
GiaQuinta	Pressel
Goodrich <input type="checkbox"/>	Pryor
Gore	Rowray
Gutwein	Saunders
Hamilton	Schaibley
Harris	Shackleford
Hatcher	Slager
Hatfield	Smaltz
Heaton	Smith, V.
Heine	Snow
Hostettler	Soliday
Jackson	Speedy
Jacob	Steuerwald
Jeter	Sullivan
Johnson	Summers <input type="checkbox"/>
Jordan	Teshka
Judy	Thompson

Torr
VanNatter
Vermilion
Wesco

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 9: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 1, 2021, at 2:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 8 were read a first time by title and referred to the respective committees:

HB 1581 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1582 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1583 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1584 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1585 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1586 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1587 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1588 — Rules and Legislative Procedures

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1589 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1590 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1591 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1592 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1593 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1594 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1595 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1596 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1597 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1598 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1599 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1600 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1601 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1602 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1603 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1604 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

HB 1605 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.
(Vehicle Bill)

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 6

Representative Pryor introduced House Concurrent Resolution 6:

A CONCURRENT RESOLUTION honoring the life of Mr. Byron David Ratcliffe Sr.

Whereas, Mr. Byron David Ratcliffe Sr. passed away on September 8, 2019, at the age of 62;

Whereas, Mr. Ratcliffe was born to Harrison Payne and Kathryn Golden in Indianapolis, Indiana, on September 14, 1957;

Whereas, Mr. Ratcliffe attended Indiana University in Bloomington, graduating with a Bachelor of Science in Criminal Justice and Correction in 1980, and he continued to pursue personal and professional development until his passing;

Whereas, Mr. Ratcliffe dedicated his life to civic engagement, human development, and community service as a retired educator, soldier, and advocate;

Whereas, Mr. Ratcliffe was a second generation soldier and served in the 502nd Infantry, 101st Airborne Division;

Whereas, Mr. Ratcliffe's career in the United States Army focused on training, recruitment, and retention, where he earned notable positions, including: recruiting command company first sergeant; senior guidance counselor at the Military Entrance and Processing Station (MEPS); service school instructor; and inspector general;

Whereas, Mr. Ratcliffe served on many boards throughout his life, including: the NAACP; Kappa Alpha Psi; the American Legion; the Knights of St. Peter Claver; and the Masonic order;

Whereas, Mr. Ratcliffe was a supporter of and champion for change on many criminal justice issues while he served as state criminal justice chair for the NAACP;

Whereas, Mr. Ratcliffe advocated an end to racial profiling and the death penalty;

Whereas, Mr. Ratcliffe supported efforts to fix disparity in sentencing for people of color and he advocated for legislation and policies providing restorative justice for returning citizens from the penal system; and

Whereas, Mr. Ratcliffe served his country with honor and devoted his life to improve the lives of people in his community: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana House of Representatives remembers Mr. Byron David Ratcliffe Sr. for his contributions to his community, the state of Indiana, and the United States of America as a lifelong Hoosier, soldier, educator, and advocate.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Cherrish Pryor for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Taylor.

House Concurrent Resolution 7

Representative Jackson introduced House Concurrent Resolution 7:

A CONCURRENT RESOLUTION concerning the motor vehicle inspection and maintenance programs in Lake and Porter counties.

Whereas, The motor vehicle inspection and maintenance (I/M) programs in Lake and Porter counties were mandated by the federal Clean Air Act Amendments of 1990, based on Lake and Porter counties' designation as "nonattainment", along with northeast Indiana and southeast Wisconsin, under the one-hour ozone standard;

Whereas, According to the United States Environmental Protection Agency (EPA), cars and trucks collectively are the single greatest contributor to ground-level ozone, the major component of smog;

Whereas, The purpose of an I/M program is to reduce ground-level ozone by ensuring that the emission control systems on vehicles are working correctly;

Whereas, Generally, only vehicles registered in Lake and Porter counties are subject to the I/M programs in Lake and Porter counties;

Whereas, Lake and Porter counties in northwest Indiana are intersected by Interstate Highway 80/90 and Interstate Highway 94, two of the most heavily traveled highways in the Midwest, and Lake County is also intersected by Interstate Highway 65, another heavily traveled highway, linking major southern cities with Indianapolis and Chicago;

Whereas, The citizens of Lake and Porter counties have been burdened with the cost of the testing and remediation required under the I/M program, even though thousands of out-of-state vehicles pass through these areas on a daily basis without the burden of submitting to the I/M program;

Whereas, Lake and Porter counties are linked to the Chicago Nonattainment Area based on violations in northeast Illinois and southeast Wisconsin; and

Whereas, Lake and Porter counties have the most stringent suite of control measures in the Midwest, and have consistently met EPA's objectives: Therefore,

*Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the United States Environmental Protection Agency and Congress to remove Lake and Porter counties from the Chicago Nonattainment Area, and thereby eliminate the requirements under which the motor vehicle inspection and maintenance programs in Lake and Porter counties are operated.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Mr. Andrew R. Wheeler, Administrator of the Environmental Protection Agency, Mr. John Mooney, Acting Director of the Air and Radiation Division at the United States Environmental Protection Agency for Region 5, and to each member of the Indiana Congressional Delegation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1004, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1004 as introduced.)

Committee Vote: Yeas 23, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1006, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Page 19, after line 29, begin a new paragraph and insert:

"SECTION 10. [EFFECTIVE UPON PASSAGE] (a) There is appropriated to the Indiana law enforcement academy seventy million dollars (\$70,000,000) from the state general fund for the purpose of making capital improvements to the Indiana law enforcement academy for the state fiscal year beginning July 1, 2020, and ending June 30, 2021.

(b) This SECTION expires July 1, 2023.

SECTION 11. An emergency is declared for this act."

(Reference is to HB 1006 as printed January 14, 2021.) and when so amended that said bill do pass.

Committee Vote: yeas 23, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 3, after "students" insert **"in kindergarten through grade 12"**.

Page 2, line 21, after "charter schools," insert **"and"**.

Page 2, line 21, delete "and virtual".

Page 2, line 22, delete "education providers,".

Page 2, line 38, delete "must:" and insert **"must do the following:"**.

Page 2, line 39, delete "address" and insert **"Address"**.

Page 2, line 40, delete "; and" and insert **"."**.

Page 2, between lines 40 and 41, begin a new line block indented and insert:

"(2) Provide for recovery learning to be offered in an in person setting, and may not offer recovery learning

in a virtual setting."

Page 2, line 41, delete "(2) include" and insert **"(3) Include"**.
(Reference is to HB 1008 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 23, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1039, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-18.5-2-1, AS AMENDED BY P.L.256-2017, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) A person may apply to the bureau for a personalized license plate to display on the person's vehicle.

(b) The following license plates may be designed as a personalized license plate under this chapter:

- (1) IC 9-18.5-4 (prisoner of war license plates).
- (2) IC 9-18.5-5 (disabled Hoosier veteran license plates).
- (3) IC 9-18.5-6 (Purple Heart license plates).
- (4) IC 9-18.5-7 (National Guard license plates).
- (5) IC 9-18.5-8 (license plates for persons with disabilities).
- (6) IC 9-18.5-9 (amateur radio operator license plates).
- (7) IC 9-18.5-10 (civic event license plates).
- (8) IC 9-18.5-11 (In God We Trust license plates).
- (9) IC 9-18.5-12 (special group recognition license plates).
- (10) IC 9-18.5-13 (environmental license plates).
- (11) IC 9-18.5-14 (kids first trust license plates).
- (12) IC 9-18.5-15 (education license plates).
- (13) IC 9-18.5-16 (Indiana FFA trust license plates).
- (14) IC 9-18.5-17 (Indiana firefighter license plates).
- (15) IC 9-18.5-18 (Indiana boy scouts trust license plates).
- (16) IC 9-18.5-19 (D.A.R.E. Indiana trust license plates).
- (17) IC 9-18.5-20 (Indiana arts trust license plates).
- (18) IC 9-18.5-21 (Indiana health trust license plates).
- (19) IC 9-18.5-22 (Indiana Native American trust license plates).
- (20) IC 9-18.5-24 (Pearl Harbor survivor license plates).
- (21) IC 9-18.5-25 (Indiana state educational institution trust license plates).
- (22) IC 9-18.5-26 (Lewis and Clark expedition license plates).
- (23) IC 9-18.5-27 (Riley Children's Foundation license plates).
- (24) IC 9-18.5-28 (National Football League franchised professional football team license plates).
- (25) IC 9-18.5-29 (Hoosier veteran license plates).
- (26) IC 9-18.5-30 (support our troops license plates).
- (27) IC 9-18.5-31 (Abraham Lincoln's boyhood home license plates).
- (28) IC 9-18.5-32 (Earlham College Trust license plates).
- (29) IC 9-18.5-33 (Indiana Gold Star family member license plates).
- (30) IC 9-18.5-35 (Armed Forces Expeditionary Medal license plates).**
- ~~(31)~~ **(31)** A license plate issued under IC 9-18 (before its expiration) or IC 9-18.1."

Page 1, line 6, after "spouse" insert **"(who has not remarried)"**.

Page 1, line 9, strike "(a)" and insert **"(a)(1)"**.

Page 1, line 11, strike "(a)" and insert **"(a)(1)"**.

Page 1, between lines 16 and 17, begin a new line blocked

left and insert:

"An individual described in subsection (a)(2) is not eligible to receive a modified license plate under this subsection."

Page 2, line 13, after "spouse" insert **"(who has not remarried)"**.

Page 2, after line 15, begin a new paragraph and insert:

"SECTION 4. IC 9-18.5-12-2, AS AMENDED BY P.L.147-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. This chapter does not apply to the following:

- (1) Historic vehicle license plates (IC 9-18.5-34).
- (2) Personalized license plates (IC 9-18.5-2).
- (3) Disabled Hoosier veteran license plates (IC 9-18.5-5).
- (4) Purple Heart license plates (IC 9-18.5-6).
- (5) National Guard license plates (IC 9-18.5-7).
- (6) Person with a disability license plates (IC 9-18.5-8).
- (7) Amateur radio operator license plates (IC 9-18.5-9).
- (8) In God We Trust license plates (IC 9-18.5-11).
- (9) Pearl Harbor survivor license plates (IC 9-18.5-24).
- (10) Lewis and Clark expedition license plates (IC 9-18.5-26).
- (11) National Football League franchised football team license plates (IC 9-18.5-28).
- (12) Hoosier veteran license plates (IC 9-18.5-29).
- (13) Support our troops license plates (IC 9-18.5-30).
- (14) Abraham Lincoln's boyhood home license plates (IC 9-18.5-31).
- (15) Indiana Gold Star family member license plates (IC 9-18.5-33).
- (16) Armed Forces Expeditionary Medal license plates (IC 9-18.5-35).**

SECTION 5. IC 9-18.5-35 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 35. Armed Forces Expeditionary Medal License Plate

Sec. 1. The bureau shall design an Armed Forces Expeditionary Medal license plate that includes the following:

- (1) A basic design for the plate with consecutive numbers or letters, or both, to properly identify the vehicle.**
- (2) A background design, an emblem, or colors that designate the license plate as an Armed Forces Expeditionary Medal license plate.**
- (3) An area on the plate for display of an emblem denoting the Armed Forces Expeditionary Medal.**
- (4) Any other information the bureau considers necessary.**

Sec. 2. The bureau shall confer with members of armed forces retiree organizations concerning the design of the:

- (1) Armed Forces Expeditionary Medal license plate; and**
- (2) emblem used to denote the Armed Forces Expeditionary Medal.**

Sec. 3. (a) An individual who registers a vehicle under this title may apply for and receive an Armed Forces Expeditionary Medal license plate for one (1) or more vehicles upon doing the following:

- (1) Completing an application for an Armed Forces Expeditionary Medal license plate.**
- (2) Presenting one (1) of the following to the bureau that shows the individual has been awarded the Armed Forces Expeditionary Medal:**
 - (A) A DD 214 or DD 215 record.**
 - (B) United States military discharge papers.**
 - (C) A current armed forces identification card.**
- (3) Paying a fee in the amount of fifteen dollars (\$15).**
- (b) The bureau shall distribute the fee described in subsection (a)(3) to the director of veterans' affairs for**

deposit in the military family relief fund established under IC 10-17-12-8."

Renumber all SECTIONS consecutively.
(Reference is to HB 1039 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1040, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 33, strike "a" and insert "**an**".

Page 4, delete lines 17 through 20.

Page 4, between lines 35 and 36, begin a new line block indented and insert:

"(1) must obtain an electrocardiogram for the applicable student, unless the parent of the applicable student or the emancipated applicable student opts out, at a cost to be incurred by the parent or the emancipated applicable student;"

Page 4, line 36, strike "(1)" and insert "**(2)**".

Page 4, line 38, strike "(2)" and insert "**(3)**".

Page 4, line 39, strike "student athlete's" and insert "**applicable student's**".

Page 4, line 39, delete "coach" and insert "**coach, marching band leader,**".

Page 5, line 7, delete "certified athletic trainer," and insert "**licensed athletic trainer, physician assistant, advanced practice registered nurse,**".

Page 5, delete lines 16 through 34, begin a new paragraph and insert:

"SECTION 8. IC 20-34-8-8, AS ADDED BY P.L.139-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. ~~A~~ An applicable student athlete who has been removed from practice or play under section 7 of this chapter may not return to practice or play until the coach, marching band leader, or other official designated by the applicable student's school entity has:

(1) provided the applicable student's parent with information regarding sudden cardiac arrest described in section 5 of this chapter; and

(2) received verbal permission from a parent ~~or legal guardian~~ of the applicable student athlete for the applicable student athlete to return to practice and play.

Within twenty-four (24) hours after giving verbal permission for the applicable student athlete to return to practice and play, the parent ~~or legal guardian~~ must provide the coach, **marching band leader, or other official designated by the applicable student's school entity** with a written statement that the **applicable student athlete** has permission to return to practice and play."

Renumber all SECTIONS consecutively.
(Reference is to HB 1040 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1068, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, after "Local" insert "**or regional**".

Page 1, line 9, after "local" insert "**or regional**".

Page 5, between lines 30 and 31, begin a new line block indented and insert:

"(7) pretrial services;"

Page 5, line 31, strike "(7)" and insert "**(8)**".

Page 5, line 32, strike "(8)" and insert "**(9)**".

Page 5, line 34, after "local" insert "**or regional**".

Page 5, line 39, after "is" insert "**established in each county in Indiana. The local advisory council of two (2) or more counties may vote to consolidate into a regional advisory council. Membership of a regional advisory council must consist of the members listed in this subsection, which can be filled by a representative from any of the participating counties. A local advisory council consists of at least the following members:**".

Page 5, delete lines 40 through 41.

Page 6, line 22, after "criminal" delete "jurisdiction appointed" and insert "**jurisdiction.**".

Page 6, delete lines 23 through 24.

Page 6, line 25, after "local" insert "**or regional**".

Page 6, line 27, after "local" insert "**or regional**".

Page 6, line 29, after "local" insert "**or regional**".

Page 6, line 31, after "local" insert "**or regional**".

Page 6, delete lines 32 through 35.

Page 6, line 38, after "local" insert "**or regional**".

Page 7, delete line 4, begin a new line double block indented and insert:

"(D) pretrial services;"

Page 7, line 13, after "local" insert "**or regional**".

Page 7, line 21, after "local" insert "**or regional**".

Page 7, line 26, after "local" insert "**or regional**".

Page 7, delete line 34.

(Reference is to HB 1068 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1072, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"Sec. 0.5. This chapter does not apply to portions of state routes, U.S. routes, and interstate highways comprising the state highway system located in a municipality."

Page 3, between lines 15 and 16, begin a new paragraph and insert:

"Sec. 10. A political subdivision may not be required to:

(1) install additional traffic signs or signals;

(2) make improvements or extensions to infrastructure; or

(3) pay for improvements to infrastructure; for the purpose of accommodating or providing increased access for personal delivery devices."

Page 3, line 16, delete "10." and insert "**11.**".

(Reference is to HB 1072 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1082, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1082 as introduced.)

Committee Vote: Yeas 12, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1101, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 2, before "in:" insert "**in the public or private school**".

(Reference is to HB 1101 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1112, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1112 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1119 as introduced.)

Committee Vote: Yeas 12, Nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1150, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-20-4-2, AS AMENDED BY P.L.13-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Section 1 of this chapter relating to vehicle weight, section 3 of this chapter assessing a penalty for transporting a load in excess of the registered limit of the load for the transporting vehicle, and section 3 of this chapter prohibiting a person from moving a transported vehicle with an excess load until a penalty is paid do not apply to a vehicle or combination of vehicles that transports:

(1) farm commodities from the place of production to the first point of delivery where the commodities are weighed and title to the commodities is transferred if the weight of

the vehicle with load or combination of vehicles with load does not exceed the gross weight limit by more than ten percent (10%); or

(2) logs, wood chips, bark, and sawdust if the weight of the vehicle with load does not exceed either:

(A) the gross weight limit; or

(B) the axle weight limit;

by more than ten percent (10%).

(b) Except for a vehicle or combination of vehicles exempted under subsection (a), a person who transports a vehicle or combination of vehicles with an overweight divisible load is subject to permitting requirements under this article.

(b) (c) The exemptions in subsection (a) do not apply to the following:

(1) Weight limits imposed for bridges or sections of highways under IC 9-20-1-3.

(2) A vehicle operated on any part of an interstate highway.

SECTION 2. IC 9-20-5-8, AS AMENDED BY P.L.257-2017, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. The Indiana department of transportation may not issue a permit under this chapter for the operation of a vehicle if any of the following conditions apply:

(1) The owner or operator of the vehicle has not complied with IC 8-2.1-24.

(2) The owner or operator of the vehicle has not provided the Indiana department of transportation with the owner's or operator's Social Security number or federal identification number.

(3) The owner or operator of the vehicle has not registered the vehicle with the bureau, if the vehicle is required to be registered under IC 9-18 (before its expiration) or IC 9-18.1.

(4) The owner or operator of the vehicle has not provided the department of state revenue with full payment for a permit prior to transporting an overweight divisible load under this article."

Page 1, line 7, strike "person whose United States Department of".

Page 1, line 8, strike "Transportation number is registered on the vehicle" and insert "**carrier**".

Page 1, line 9, after "the" insert "**vehicle or**".

Page 1, line 12, after "any" insert "**fees or**".

Page 1, line 13, after "assessed" insert "**and determined**".

Page 1, line 15, strike "person who obtains" and insert "**carrier transporting vehicles or loads under**".

Page 1, line 15, after "permit" insert "**issued**".

Page 1, line 15, strike "and" and insert "**who**".

Page 2, line 2, strike "person who" and insert "**carrier that**".

Page 2, between lines 5 and 6, begin a new paragraph and insert:

"(d) A carrier who transports an overweight divisible load that exceeds limits on weight or dimensions and fails to obtain a permit required to transport the overweight divisible load is subject to a civil penalty of not more than ten thousand dollars (\$10,000) for each violation."

Page 2, line 6, delete "(d)" and insert "**(e)**".

Page 2, line 8, delete "a person receives a citation for an overweight load." and insert "**the department is notified of a violation described under subsection (b), (c), or (d).**"

Page 2, line 9, delete "(e)" and insert "**(f)**".

Page 2, line 9, strike "person" and insert "**carrier**".

Page 2, line 10, after "protest the" insert "**civil**".

Page 2, line 11, strike "hearing is requested," and insert "**carrier protests a civil penalty,**".

Page 2, line 11, strike "hold an".

Page 2, line 12, strike "administrative hearing at which the person has" and insert "**allow the carrier**".

Page 2, line 13, after "assessed." insert "**A person may assert a defense described under section 7 of this chapter.**".

Page 2, line 14, delete "(f)" and insert "(g)".

Page 2, after line 15, begin a new paragraph and insert:

"SECTION 4. IC 9-22-1-4, AS AMENDED BY P.L.157-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) Except as provided in subsection ~~(c)~~, (d), the owner of an abandoned vehicle or parts is:

- (1) responsible for the abandonment; and
- (2) liable for all of the costs incidental to the removal, storage, and disposal;

of the vehicle or the parts under this chapter.

(b) **Except as provided in subsection (c)**, the costs for storage of an abandoned vehicle may not exceed two thousand dollars (\$2,000).

(c) **The costs for storage of an abandoned vehicle with a length of at least thirty (30) feet may not exceed five thousand dollars (\$5,000).**

~~(c)~~ (d) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, the person who previously owned the vehicle is not responsible for storage fees.

~~(d)~~ (e) If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, and proceeds from the sale of the vehicle covered the removal, towing, sale disposal, and storage expenses, any remaining proceeds from the sale of the vehicle shall be returned as described in this chapter or IC 9-22-6, whichever is applicable."

Renumber all SECTIONS consecutively.

(Reference is to HB 1150 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1152, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 10, strike "caused benefits to be paid".

Page 4, line 11, strike "improperly." and insert "**occurred.**".

(Reference is to HB 1152 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 4.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1156, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1156 as introduced.)

Committee Vote: Yeas 12, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1169, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new

paragraph and insert:

"SECTION 1. IC 4-13.1-1-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 1.3. "Attack vector" means a method or way for attacking, infiltrating, or otherwise compromising a computer network or system.**"

Page 1, line 3, after "1.5." insert "(a)".

Page 1, delete lines 4 through 12 and insert "**means an occurrence that consists of one (1) or more of the categories of attack vectors described in subsection (b) and defined on the office's Internet web site that:**

(1) jeopardize or may potentially jeopardize the confidentiality, integrity, or availability of an information system, an operational system, or the information that such systems process, store, or transmit;

(2) jeopardize or may potentially jeopardize the health and safety of the public; or

(3) violates security policies, security procedures, or acceptable use policies.

(b) **A cybersecurity incident may consist of one (1) or more of the following categories of attack vectors:**

(1) Ransomware.

(2) Business email compromise.

(3) Vulnerability exploitation.

(4) Zero-day exploitation.

(5) Spear phishing.

(6) Distributed denial of service.

(7) Web site defacement.

(8) Password attack.

(9) **Other sophisticated attacks as defined by the chief information officer and that are posted on the office's Internet web site.**"

Page 3, line 25, delete "A:" and insert "**A state agency (as defined in IC 4-1-10-2) and a political subdivision (as defined in IC 36-1-2-13) shall:**

(1) **report any cybersecurity incident to the office without unreasonable delay and not later than two (2) business days after discovery of the cybersecurity incident in a format prescribed by the chief information officer; and**

(2) **provide the office with the name and contact information of any individual who will act as the primary reporter of a cybersecurity incident described in subdivision (1) before September 1, 2021, and before September 1 of every year thereafter.**"

Page 3, delete lines 26 through 31.

Renumber all SECTIONS consecutively.

(Reference is to HB 1169 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

MILLER D, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1191, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "nonrenewable or renewable energy source." and insert "**energy source used to provide utility service, including a clean energy resource (as defined in IC 8-1-37-4).**".

Page 1, line 15, after "by" insert "**a liquid petroleum gas company,**".

Page 1, line 16, delete "utility or" and insert "**utility, or a**".

Page 2, line 1, after "electricity" insert "**or thermal energy**".

Page 2, line 16, delete "public utility or" and insert "**liquid**".

petroleum gas company, a public utility, or a".

Page 2, line 18, delete "public utility or" and insert "liquid petroleum gas company, a public utility, or a".

Page 2, delete lines 25 through 29, begin a new paragraph and insert:

"SECTION 2. IC 21-37-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 8. Energy Related Requirements and Prohibitions

Sec. 1. (a) As used in this section, "net monetary savings" means the amount by which the overall costs associated with the electrical energy supplied to a state educational institution's facilities will be lower because of the implementation of a prohibition or restriction described in subsection (d) than they would have been without the implementation of the prohibition or restriction.

(b) As used in this section, "net monetary savings" does not include secondary savings or avoided or mitigated externalities not directly associated with the electrical energy supplied to a state educational institution's facilities.

(c) A determination of "net monetary savings" under subsection (d)(1) must consider:

(1) the stranded cost of any sources of electrical energy, including any sources of electrical energy supplied through:

(A) a power purchase agreement that is in effect as of the effective date of the prohibition or restriction described in subsection (d); or

(B) an electric generation facility owned or operated by the state educational institution as of the effective date of the prohibition or restriction described in subsection (d), including any stranded costs resulting from any part of the facility that is not fully depreciated as of the effective date of the prohibition or restriction described in subsection (d);

that will stop being used as a result of the implementation of the prohibition or restriction described in subsection (d); and

(2) the fully allocated cost of new sources of electrical energy that must be procured as a result of the implementation of a prohibition or restriction described in subsection (d);

as well as the difference in overall energy costs that would be incurred without the implementation of the prohibition or restriction and with the implementation of the prohibition and restriction.

(d) A state educational institution may not adopt, implement, or enforce a resolution, rule, or policy that would prohibit or restrict the manner in which electrical energy that is supplied to its facilities is generated, transmitted, or distributed, including any electrical energy that is supplied to its facilities through a power purchase agreement entered into after June 30, 2021, unless the prohibition or restriction:

(1) would result in net monetary savings to the state educational institution; or

(2) is in furtherance of an established academic discipline of the state educational institution as of January 1, 2021.

Sec. 2. (a) As used in this section, "net monetary savings" means the amount by which the overall costs associated with the construction, heating, cooling, use, and maintenance of a building or other structure will be lower because of the implementation of a requirement described in subsection (d)(1) or (d)(2) than they would have been without the implementation of the requirement.

(b) As used in this section, "net monetary savings" does not include secondary savings or avoided or mitigated externalities not directly associated with the construction,

heating, cooling, use, and maintenance of a building or other structure.

(c) A determination of "net monetary savings" under subsection (d) must consider:

(1) the stranded cost of any equipment or materials that will stop being used as a result of the implementation of a requirement described in subsection (d)(1) or (d)(2) before the equipment or materials are fully depreciated; and

(2) the fully allocated cost of new equipment and materials that must be acquired and used as a result of the implementation of a requirement described in subsection (d)(1) or (d)(2);

as well as the difference in energy costs that would be incurred without the implementation of the requirement and with the implementation of the requirement.

(d) A state educational institution may not adopt, implement, or enforce a resolution, rule, or policy that would:

(1) require the use of a particular component or type of material in the construction of a building or other structure on a campus of the state educational institution solely because of the energy saving or energy producing qualities of the component or material; or

(2) require the retrofitting of a building or other structure on a campus of the state educational institution with a particular device or type of material solely because of the energy saving or energy producing qualities of the device or material;

unless the requirement can reasonably be expected to result in net monetary savings within ten (10) years after the installation of the component, material, or device, as determined by an individual who is not an employee of or associated with the state educational institution and who has been certified as a Certified Energy Manager by the Association of Energy Engineers.

Sec. 3. (a) As used in this section, "net monetary savings" means the amount by which the overall costs associated with the purchase or use of motor vehicles by a state educational institution will be lower because of the implementation of a resolution, rule, or policy described in subsection (d) than they would have been without the implementation of the resolution, rule, or policy.

(b) As used in this section, "net monetary savings" does not include secondary savings or avoided or mitigated externalities not directly associated with the purchase or use of motor vehicles by a state educational institution.

(c) A determination of "net monetary savings" under subsection (e)(1) must consider:

(1) the stranded cost of any motor vehicles that will stop being used as a result of the implementation of a resolution, rule, or policy described in subsection (d) before the motor vehicles are fully depreciated; and

(2) the fully allocated cost of new or replacement motor vehicles that must be purchased as a result of the implementation of a resolution, rule, or policy described in subsection (d);

as well as the difference in vehicle or fuel costs that would be incurred without the implementation of the resolution, rule, or policy and with the implementation of the resolution, rule, or policy.

(d) Except as provided in subsection (e), a state educational institution may not adopt, implement, or enforce a resolution, rule, or policy that:

(1) would prohibit, restrict, give preference to, or establish any condition concerning the purchase or use of motor vehicles by the state educational institution; and

(2) is based upon the type of energy that powers the motor vehicle.

(e) The prohibition set forth in subsection (d) does not apply if the resolution, rule, or policy described in subsection (d):

- (1) would result in net monetary savings to the state educational institution over the life of the motor vehicle; or
- (2) is in furtherance of an established academic discipline of the state educational institution as of January 1, 2021.

SECTION 3. IC 36-1-3-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 13. A unit does not have the power to do the following:

- (1) Require that a particular component, design, or type of material be used in the construction of a building or other structure because of the energy saving or energy producing qualities of the component, design, or material.
- (2) Prohibit the use of a particular component, design, or type of material in the construction of a building or other structure because the component, design, or material does not meet a standard for energy saving.
- (3) Require that a building or other structure be retrofitted with a particular device or type of material because of the energy saving or energy producing qualities of the device or material.
- (4) Prohibit or restrict the purchase or use of vehicles or other machines based upon the type of energy that powers the vehicle or machine.
- (5) Prohibit the sale, installation, or use of any of the following:
 - (A) Natural gas powered home heating equipment.
 - (B) Natural gas powered home appliances.
 - (C) Grills, stoves, and other food preparation appliances designed to be used outdoors.
 - (D) Natural gas powered:
 - (i) heating appliances; and
 - (ii) torches, lamps, and other decorative features; designed to be used outdoors.
- (6) Enact an ordinance, adopt a resolution, or enforce an ordinance or resolution that purports to exercise a power denied by subdivisions (1) through (5)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1191 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 13 with "[EFFECTIVE DECEMBER 31, 2021]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-66.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 66.6. "Forbearance", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(1).

SECTION 2. IC 9-13-2-87.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 87.5. "Job training", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(2).

SECTION 3. IC 9-13-2-113.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 113.3. "Nonviolent offender", for purposes of IC 9-25-6-15.5, has the meaning set forth in IC 9-25-6-15.5(a)(3)."

Page 1, delete lines 15 through 17, begin a new paragraph and insert:

"(e) As to any suspension described in this section:

- (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and
- (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension."

Page 2, delete lines 1 through 4.

Page 2, delete lines 29 through 35, begin a new paragraph and insert:

"(d) As to any suspension described in this section:

- (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and
- (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension."

Page 4, delete lines 16 through 22, begin a new paragraph and insert:

"(g) As to any suspension described in this section:

- (1) the bureau shall stay the suspension for one hundred and eighty (180) days upon a showing of proof of future financial responsibility by the person who has had the person's driving privileges, motor vehicle registration, or both, suspended; and
- (2) if the bureau does not receive proof that financial responsibility has lapsed after the period of one hundred and eighty (180) days, the bureau shall terminate the suspension."

Page 5, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 9. IC 9-25-6-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15.5. (a) The following definitions apply throughout this section:

- (1) "Forbearance" means a stay of enforcing payment on reinstatement fees owed by a nonviolent offender.
- (2) "Job training" means any type of instruction that enables an individual who:

(A) is an ex-offender who has completed the individual's criminal sentence; or

(B) is serving a term of probation or parole; to acquire vocational skills so the individual is employable or able to seek a higher grade of employment.

(3) "Nonviolent offender" means a person who is not convicted of an offense under IC 11-8-8-5.

(b) An individual who is liable for reinstatement fees imposed under section 15 of this chapter may have all of the reinstatement fees placed in forbearance if the individual:

- (1) is a nonviolent offender;
- (2) has completed the individual's criminal sentence or is serving a term of probation or parole; and
- (3) is enrolled in job training or maintains consistent employment for at least three (3) years.

(c) If an individual:

- (1) is eligible to have reinstatement fees placed in

forbearance; and

(2) maintains consistent employment for at least three (3) years;

the bureau shall waive the individual's reinstatement fees and reinstate the individual's driving privileges.

(d) The bureau shall adopt rules under IC 4-22-2 to implement this section."

Page 9, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 15. IC 9-33-4-2, AS ADDED BY P.L.202-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. This chapter applies to the following:

(1) An unpaid judgment for an infraction described in this title that relates to the operation of a motor vehicle, if the infraction was committed before ~~January 1, 2019~~: **January 1, 2020**.

(2) A driving privileges reinstatement fee (as described in IC 9-25-6-15), which a person with a suspended driver's license is or would be required to pay to reinstate the person's driver's license, if the person's driver's license was suspended before ~~January 1, 2019~~: **January 1, 2020**.

(3) Any court costs, administrative fees, late fees, or other fees imposed on a person in connection with an unpaid judgment or fee described in subdivision (1) or (2).

SECTION 16. IC 9-33-4-4, AS ADDED BY P.L.202-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. (a) A qualified person may seek a reduction in the person's unpaid fees by filing a verified petition for traffic amnesty in a circuit or superior court in the county in which the violation giving rise to the unpaid fees was committed. A petition filed under this section must be filed after December 31, 2019, and before ~~January 1, 2021~~: **July 1, 2022**. The petition must include the following:

(1) The person's full name and all other legal names or aliases by which the person is or has been known.

(2) The person's date of birth.

(3) The case number or court cause number of the relevant violations.

(4) An affirmation that the person:

(A) does not owe a child support arrearage or, if the person owes a child support arrearage, has been making the person's required child support payments for at least the preceding six (6) months;

(B) does not have an outstanding arrest warrant; and
(C) was not sentenced to pay restitution to the victim of a crime or, if the person was sentenced to pay restitution, is current with the person's required payments.

(5) The person's:

(A) Social Security number; and
(B) driver's license number.

(6) The date of the violation.

(b) The person may include in a petition filed under this section any other information that the person believes may assist the court.

(c) A person who files a petition under this section shall file the petition under the court cause number of the infraction. The person is not required to pay the filing fee required in civil cases.

(d) The person shall serve a copy of the petition upon the prosecuting attorney in accordance with the Indiana Rules of Trial Procedure.

(e) The prosecuting attorney may reply to the petition not later than thirty (30) days after receipt of the petition. If the prosecuting attorney fails to timely reply to the petition, the prosecuting attorney has waived any objection to the petition.

(f) If a person wishes to receive traffic amnesty for infractions committed in different counties, the person must file a separate petition in each county in which a violation was committed.

(g) A petition filed under this section is not an admission of guilt or liability.

SECTION 17. IC 9-33-4-6, AS ADDED BY P.L.202-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The court shall grant a petition for traffic amnesty if the petitioner proves by a preponderance of evidence that the:

(1) person is a qualified person; and

(2) violation giving rise to the unpaid fees was committed before ~~January 1, 2019~~: **January 1, 2020**.

(b) If the court grants a petition for traffic amnesty, the court shall issue an order reducing the amount of unpaid fees owed by the person by fifty percent (50%). To the extent some or all of the unpaid fees consist of a driving privileges reinstatement fee, the court shall specify in its order that the petitioner is entitled to driving privileges reinstatement after:

(1) paying fifty percent (50%) of the otherwise required driving privileges reinstatement fee to the bureau;

(2) providing proof of financial responsibility to the court; and

(3) the person is determined not to be otherwise ineligible to have the person's driving privileges reinstated.

(c) The court shall transmit a copy of its order to the bureau in a form and manner prescribed by the bureau. The court shall include in its order a statement that the order is not a conviction, finding of guilt, or finding of liability and that the order is being issued under IC 9-33-4.

(d) The grant or denial of a petition under this chapter is an appealable final order.

SECTION 18. IC 9-33-5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 5. Reinstatement of Driving Privileges for Convicted Offenders

Sec. 1. The purpose of this chapter is to:

(1) Develop and implement educational programs to inform individuals described in section 2 of this chapter of any legal, administrative, or financial requirements that need to be satisfied before the reinstatement of driving privileges.

(2) Identify and coordinate procedures within and between agencies to facilitate the reinstatement of driving privileges to individuals described in section 2 of this chapter.

(3) Collaborate within and between agencies to provide access to driver records, practice exams, required forms, safety classes, or any other materials deemed necessary by an agency for the purposes of fulfilling this chapter.

(4) Make recommendations regarding best practices for driver's license suspensions due to nonmoving violations.

Sec. 2. This chapter applies to the following:

(1) A person who is currently an inmate in the custody of the department of correction.

(2) A person who has been released from the custody of the department of correction within the past twelve (12) months.

(3) A person who is currently under parole supervision or a community corrections program (as defined under IC 35-38-2.6-2).

Sec. 3. Not later than July 1, 2021, the bureau shall do the following:

(1) Carry out the administration of programs and activities concerning the reinstatement of driving privileges for individuals described in this chapter.

(2) Advise and collaborate with the department of correction regarding the provision of appropriate programs and services for the reinstatement of driving privileges for individuals described in section 2 of this

chapter.

(3) Designate a liaison between the bureau and the department of correction for purposes of fulfilling section 1 of this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1199 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

McNamara, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1203, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, after "statute," insert "**or the executive board's designee**".

Page 3, line 11, after "issued" insert ",".

Page 3, line 11, strike "by,".

Page 3, line 11, strike "an".

Page 3, line 13, after "2021," insert "**by**".

(Reference is to HB 1203 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BARRETT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1220, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 39, delete "including the" and insert "**including:**

(A) the use of securitization to recover stranded utility costs associated with legacy generation units; and

(B) the establishment of an annual reporting requirement that would require cooperatively owned power suppliers to annually report to the Indiana utility regulatory commission information concerning stranded costs, including information concerning:

(i) any differences between the costs for and the market value of a cooperatively owned power supplier's supply side portfolio;

(ii) any reduced electric load experienced by a cooperatively owned power supplier; and

(iii) any shifting of costs among member rural electric corporations of the cooperatively owned power supplier related to a cooperatively owned power supplier's reduced electric load or stranded costs.

As used in this clause, a "cooperatively owned power supplier" means either a general district corporation within the meaning of IC 8-1-13-23, or a corporation organized under IC 23-17 whose membership includes one (1) or more corporations organized under IC 8-1-13, regardless of whether the cooperatively owned power supplier or any of its members has withdrawn from the jurisdiction of the Indiana utility regulatory commission."

Page 2, delete lines 40 through 41.

(Reference is to HB 1220 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1227, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1227 as introduced.)

Committee Vote: Yeas 11, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1230 as introduced.)

Committee Vote: Yeas 12, Nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1238, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1238 as introduced.)

Committee Vote: Yeas 12, Nays 1.

MILLER D, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1246, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1246 as introduced.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1247, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1247 as introduced.)

Committee Vote: Yeas 12, Nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 11 through 17.

Page 2, line 1, delete "(3)" and insert "(2)".

Page 2, line 7, strike "or".

Page 2, line 8, delete "areas or developed but underserved areas;" and insert "areas; or".

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"(3) to developed but underserved areas;".

Page 2, line 16, delete "at least".

Page 2, line 17, delete "one-half (1/2)" and insert **"fifty percent (50%) or more"**.

Page 2, line 18, after "recover the" insert **"weighted cost of debt and depreciation expense attributable to the cost of the main extension for the extension of service."**

Page 2, delete lines 19 through 20.

Page 3, after line 8, begin a new paragraph and insert:

"SECTION 2. IC 8-1-2-46.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)]: Sec. 46.3. (a) The following definitions apply throughout this section:

(1) "Bedroom" has the meaning set forth in 410 IAC 6-8.3-6.

(2) "Bedroom equivalent" has the meaning set forth in 410 IAC 6-8.3-7.

(3) "Septic tank soil absorption system" has the meaning set forth in IC 13-11-2-199.5.

(b) Subject to the rules provided under IC 13-26-5-2.5 and IC 36-9-23-30.1, if a property owner makes an improvement to the property owner's property, the property owner is not required to upgrade the property's septic tank soil absorption system or to connect to a sewer system, and to discontinue use of a septic tank soil absorption system if:

(1) the improvement does not include the addition of a bedroom or bedroom equivalent; and

(2) the property owner has a written determination as required by section 125(f)(2) of this chapter provided by a qualified inspector (as defined in IC 36-9-23-30.1) that the septic tank soil absorption system is not failing.

SECTION 3. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 1287 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1304, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1304 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1373, has had the

same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1373 as introduced.)

Committee Vote: Yeas 12, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1420, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 20, delete "hazardous" and insert **"hazard"**.

Page 6, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 7. IC 16-42-11-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5.5. The state egg board may adopt emergency rules under IC 4-22-2-37.1 when there is a declared emergency or sudden disruption that affects the commerce of eggs."

Page 10, line 15, reset in roman "or".

Page 10, line 16, delete "or".

Page 10, delete lines 17 through 18.

Renumber all SECTIONS consecutively.

(Reference is to HB 1420 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1537, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1537 as introduced.)

Committee Vote: Yeas 12, Nays 0.

DEVON, Chair

Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:11 p.m. with the Speaker in the Chair.

Upon request of Representative Karickhoff, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 10: 90 present. The Speaker declared a quorum present.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1225, 1252, 1255, 1314 and 1462.

House Bill 1002

Representative Torr called down House Bill 1002 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1002-2)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 3, line 30, delete "This" and insert **"(a) This"**.

Page 3, between lines 32 and 33, begin a new paragraph and insert:

"(b) This chapter does not apply to an action relating to the death of a patient under the care of a:

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 7, line 35, delete "This" and insert **"(a) This"**.

Page 7, between lines 36 and 37, begin a new paragraph and insert:

"(b) This chapter does not apply to an action relating to the death of a patient under the care of a:

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 8, delete line 24 and insert **"IC 34-30-13.5, including an action relating to the death of a patient under the care of a:**

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 11, line 39, delete "This subsection" and insert **"Subsection (c)"**.

Page 11, line 40, delete "A" and insert **"Subsection (c) does not apply to an action relating to the death of a patient under the care of a:**

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28.

(c) A".

Page 12, line 31, after "in" insert **"subsection (d) or in"**.

Page 14, line 3, delete "A person" and insert **"Except as provided in subsection (d), a person"**.

Page 14, between lines 25 and 26, begin a new paragraph and insert:

"(d) Subsections (b) and (c) do not apply to an action relating to the death of a patient under the care of a:

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 15, line 5, delete "A facility" and insert **"Except as provided in subsection (e), a facility"**.

Page 15, line 22, delete "A facility" and insert **"Except as provided in subsection (e), a facility"**.

Page 15, line 34, delete "An individual" and insert **"Except as provided in subsection (e), an individual"**.

Page 15, after line 42, begin a new paragraph and insert:

"(e) Subsections (b) through (d) do not apply to an action relating to the death of a patient under the care of a:

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 17, line 34, after "Sec. 7." insert **"This section does not apply to an action relating to the death of a patient under the care of a:**

(1) nursing facility (as defined in 42 U.S.C. 1396r(a));
or

(2) facility licensed under IC 16-28."

Page 17, line 34, beginning with "A" begin a new line blocked left.

(Reference is to HB 1002 as printed January 26, 2021.)
DELANEY

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the 2nd Reading Amendment 1002-2. Pursuant to House Rule 168, the reason for the request is the following:

I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am employed by a corporation that has fiscal interest in the outcome of this motion.

PORTER

Motion prevailed.

Upon request of Representatives DeLaney and Porter, the Speaker ordered the roll of the House to be called. Roll Call 11: yeas 28, nays 65. Motion failed. The bill was ordered engrossed.

House Bill 1060

Representative Steuerwald called down House Bill 1060 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1060-1)

Mr. Speaker: I move that House Bill 1060 be amended to read as follows:

Page 6, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 4. IC 31-9-2-45.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 45.9. "Final agency action" means, with respect to an administrative action taken by the department, the issuance of an order by the ultimate authority of the department that:

(1) disposes of all issues for all parties to an administrative proceeding regarding the action after the parties to the administrative proceeding have exhausted all administrative remedies concerning the action; and

(2) is designated as a final order by the ultimate authority of the department."

Page 6, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 6. IC 31-9-2-131.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 131.3. "Ultimate authority of the department" refers to the director or the director's designee under IC 31-25-2-11.5."

Page 6, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 8. IC 31-25-2-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 11.5. (a) For purposes of an administrative proceeding regarding an action taken by the department, the director or the director's designee is the ultimate authority of the department.

(b) A designee of the director under subsection (a) must be:

(1) a deputy director of the department; or

(2) an individual who:

(A) is an attorney in good standing who is admitted to the practice of law in Indiana; and

(B) is an employee of the department, except as otherwise allowed under state and federal law."

Page 6, line 34, delete "or to the office of administrative law" and insert **"."**

Page 6, line 35, delete "proceedings."

Page 7, line 9, delete "or the"

Page 7, line 10, delete "office of administrative law"

proceedings".

Page 11, line 18, delete "review".

Page 12, line 15, delete "(as defined by IC 4-21.5-1-6)".

Page 12, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 14. IC 31-33-26-15, AS AMENDED BY P.L.48-2012, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 15. (a) The department shall expunge a substantiated report contained within the index not later than ten (10) working days after any of the following occurs:

(1) A court having jurisdiction over a child in need of services proceeding determines that child abuse or neglect has not occurred.

(2) An administrative hearing officer under this chapter ~~finds that the~~ **has issued a recommendation regarding a child abuse or neglect report and the ultimate authority of the department has issued a written final agency action determining that the report is unsubstantiated.**

(3) A court having juvenile jurisdiction enters an order for expungement of the report under IC 31-33-27-5.

(b) The department shall amend a substantiated report contained in the index by deleting the name of an alleged perpetrator if:

(1) a court having jurisdiction over a child in need of services proceeding; or

(2) **the ultimate authority of the department, after issuance of a recommendation by an administrative hearing officer under this chapter;**

finds that the person was not a perpetrator of the child abuse or neglect that occurred."

Page 13, delete lines 1 through 2.

Page 14, line 35, delete "review".

Renumber all SECTIONS consecutively.

(Reference is to HB 1060 as printed January 14, 2021.)

STEUERWALD

Motion prevailed. The bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1032, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1032 as introduced.)

Committee Vote: Yeas 13, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1033, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1033 as introduced.)

Committee Vote: Yeas 11, Nays 2.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1044, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as

follows:

Page 1, line 4, after "(b)" insert ",".

Page 1, line 4, after "(b)" delete "and".

Page 1, line 4, after "(c)," insert "**and (d),**".

Page 2, between lines 15 and 16, begin a new paragraph and insert:

"(d) This subsection applies to a public safety officer who is an employee of the integrated public safety commission. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of responding to public safety events in the public safety officer's capacity as a public safety officer."

Page 4, between lines 3 and 4, begin a new line block indented and insert:

"(30) An employee of the integrated public safety commission."

(Reference is to HB 1044 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1201, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 2 and 3, begin a new paragraph and insert:

"(e) A written agreement between a law enforcement agency or other governmental agency and a provider of emergency ambulance services that concerns the transport and care of an operational canine injured in the line of duty must specify which services described under subsection (b) will be covered under the agreement."

(Reference is to HB 1201 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

FRYE R, Chair

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1084

Representative Young called down Engrossed House Bill 1084 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 12: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Young.

Engrossed House Bill 1197

Representative McNamara called down Engrossed House Bill 1197 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 13: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Becker.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1082, 1112, 1199, 1227, 1304 and 1044 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Davisson and Shackelford be added as coauthors of House Bill 1225.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1252.

YOUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1255.

YOUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Teshka and Andrade be added as coauthors of House Bill 1261.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1314.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Smaltz, Olthoff and Shackelford be added as coauthors of House Bill 1402.

SCHAIBLEY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 1, 81 and 94 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 4 and 5 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ

Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Porter, the House adjourned at 3:42 p.m., this twenty-eighth day of January, 2021, until Monday, February 1, 2021, at 2:30 p.m.

TODD M. HUSTON

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives